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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

MICHAEL WEBB,

Plaintiff,

v.

Civil No.: 08-1352-TC

MARK NOOTH,

Defendant.

FINDINGS AND RECOMMENDATION

Plaintiff was ordered on January 27, 2009, to notify the court within 30 days whether or not he authorized the withdrawal of the full filing fee of \$350 from his prison trust account. After the expiration of the time period passed without a response, the court issued an order to show cause on March 5, 2009, requiring plaintiff to respond to the court regarding authorization of withdrawal of funds from his prison trust account. To date nothing has been filed.

This action should be dismissed for plaintiff's failure to prosecute and failure to comply with a court order.

Dated: March 26th, 2009 .


United States Magistrate Judge

FINDINGS AND RECOMMENDATION